

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHONNON SAWYER,

Plaintiff,

No. 18-11534

v.

District Judge Marianne O. Battani
Magistrate Judge R. Steven Whalen

JAMES DIMON, ET AL.,

Defendants.

ORDER DENYING PLAINTIFF'S MOTIONS TO STRIKE

On June 11, 2018, Defendants Dimon, Lake, Weldon, Raymond, Neal, Jackson, Hobson, Flynn, Burke, Crown, Bell, Combs, and Bammann filed a motion to dismiss Plaintiff's *pro se* complaint under Fed.R.Civ.P. 12(b)(2) [Doc. #11]. On June 14, 2018, Defendant JPMorgan Chase Bank filed a motion to dismiss under Fed.R.Civ.P. 12(b)(6) [Doc. #12]. Plaintiff has responded to both motions, and the motions are pending on the Court's docket.

Notwithstanding that he filed a response to the motions to dismiss, Plaintiff has filed a motion to strike Defendants' motions [Doc. #32], an amended motion to strike [Doc. #34], and yet a third motion to strike [Doc. #52].

Plaintiff has not shown any legitimate basis to strike the Defendants' motions to dismiss. Fed.R.Civ.P. 12(f) (which Plaintiff does not cite) provides that upon the motion of a party, or upon the court's own initiative, "the court may order stricken from any pleading any insufficient defense or any redundant, immaterial, impertinent, or scandalous matter." Motions under Rule 12(f) are addressed to the court's discretion, although they are generally disfavored. *Ameriwood Industries International Corp. v.*

Arthur, 961 F.Supp. 1078, 1083 (W.D.Mich.1997). However, a motion to dismiss is not a “pleading” that would come under the purview of Rule 12(f). And there is simply nothing “redundant, immaterial, impertinent, or scandalous” about the Defendants’ motions. The Court will consider the arguments of the Defendants and the Plaintiff, and the motions may or may not be granted, but there is absolutely no basis to strike the motions.¹

Accordingly, Plaintiff’s motion to strike Defendants’ motions [Doc. #32], amended motion to strike [Doc. #34], and third motion to strike [Doc. #52] are DENIED.

IT IS SO ORDERED.

s/ R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: January 29, 2019

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on January 29, 2019, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager to the
Honorable R. Steven Whalen

¹ However, in deference to Plaintiff’s status as a *pro se* litigant, unschooled in the law, I will review and consider the content of her motions to strike as supplemental responses to the motions to dismiss.